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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

The Court has set November 14, 2012, as the date for a further status hearing or a change of plea in this matter. The parties have been waiting for additional discovery, namely, the DEA Lab Report on the testing of the controlled substance at issue, Gamma-Hydroxybutyric Acid (GHB). The DEA only recently provided this report, and it will be produced to the defendants shortly. The parties respectfully request that the hearing be put over to January 16, 2013, for a possible change of plea or motions and trial setting hearing.

STIPULATION AND [PROPOSED] ORDER CHANGING HEARING DATE AND EXCLUDING TIME
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The parties further request that time between these dates be excluded from any time limits applicable under 18 U.S.C. § 3161, for the purpose of effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

SO STIPULATED:

MELINDA HAAG
United States Attorney

DATED: November 13, 2012

DATED: November 13, 2012

/s/
JULIA MEZHINSKY JAYNE
Attorney for JOHNNY RAY BURTON

DATED: November 13, 2012

/s/
GEORGE BOISSEAU
Attorney for DAWN MCCANN

~~PROPOSED~~ ORDER

For the reasons stated above, the Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from November 14, 2012 through January 16, 2013, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). The failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, resulting in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(iv).

Further, the status conference is CONTINUED from November 14, 2012 to January 16, 2013, at 2:15 p.m.
IT IS SO ORDERED

DATED: November 14, 2012

Maxine M. Chesney
THE HONORABLE MAXINE M. CHESNEY
United States District Judge

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